

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

ALLFIRST BANK

Plaintiff,

V.

JOHN M. ORTENZIO

Defendant.

CASE NO.: 1:01-CV-786

J. Rambo

*****MAR 26 2002

**SUPPLEMENT TO MOTION TO RESET CASE
FOR JUNE, 2002 TRIAL LIST**

PER _____
HARRISBURG, PA DEPUTY CL

Plaintiff, ALLFIRST BANK, by its undersigned counsel, hereby supplements its previously filed Motion to Reset Case for the June, 2002 Trial List with the addition of the following exhibits:

Exhibit C - Letter dated March 19, 2002 from Melinda S. Joyce, counsel for Sheri L. Phillips;

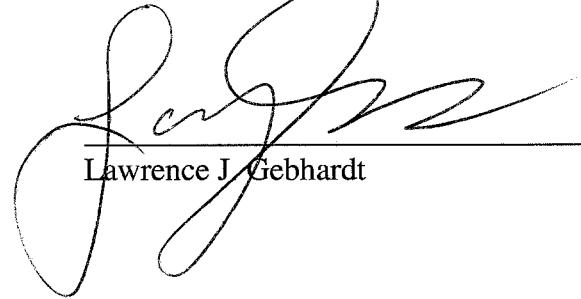
Exhibit D - Memorandum dated January 25, 2002 from Pennsylvania Deputy Secretary for Human Resources and Management to Human Resource Directors, etc.; and

Exhibit E - Letter dated March 15, 2002 from Sheri L. Phillips to Melinda Joyce.

Lawrence J. Gebhardt, *Pro Hac Vice*
Ramsay M. Whitworth,
Pennsylvania Bar # 85208
GEBHARDT & SMITH LLP
The World Trade Center, 9th Floor
401 E. Pratt Street
Baltimore, MD 21202
(410) 752-5100
Attorneys for Allfirst Bank

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 25th day of March, 2002 a copy of *Supplement to Motion to Reset Case for June, 2002, Trial List* was sent by Federal Express to: Edward I. Swichar, Esquire and Robert A. Burke, Esquire, BLANK ROME COMISKY & MCCAULEY LLP, One Logan Square, Philadelphia, PA 19103, *Attorneys for Defendant* and to Melinda S. Joyce, HARTMAN, OSBORNE & JOYCE, P.C., 126-128 Walnut Street, Harrisburg, PA 17101.



Lawrence J. Gebhardt

Exh C

HARTMAN, OSBORNE & JOYCE, P.C.

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CINDY L. NICHOLSON

WRITER'S EXTENSION: 120

WRITER'S E-MAIL ADDRESS:
Mshoop@hoslawpa.com

March 19, 2002

Daniel Gebhardt, Esquire
Gebhardt & Smith, LLP
401 East Pratt Street, 9th Floor
Baltimore, MD 21202

RE: Allfirst Bank v. John M. Ortenzio
Case No. 1:01-CV-786

Dear Larry:

In follow-up to your request for documentation of the unavailability of Sheri L. Phillips, former Chief Financial Officer of CCI, to be present for trial in the above-referenced action in July, 2002, you will find enclosed the January 25, 2002 Memorandum from the Pennsylvania Deputy Secretary for Human Resources and Management with respect to the involvement of all significant staff members in the "GO-LIVE" program.

My client advises that the Deputy Secretary for Administration in each agency is responsible for the implementation of accounting, budgeting and procurement and that additional responsibilities are placed on the Deputy Secretary for the Administration in the Department of General Services, which is Ms. Phillips' position. Ms. Phillips' letter to me dated March 15, 2002, while official protected by attorney/client privilege, helps to explain this even more specifically, and for this reason, Ms. Phillips and I are willing to produce this letter (copy enclosed) for purposes of clarification of her unavailability in July 2002 and perhaps thereafter.

Please keep us advised of the scheduling of this matter for trial and any need for this witness to testify at that time. Thank you for your assistance.

Very truly yours,



Melinda S. Joyce

MSJ/cln

cc: Edward Swishar, Esquire

FROM : SHERI PHILLIPS/EMO

FAX NO. : 717-234-3727

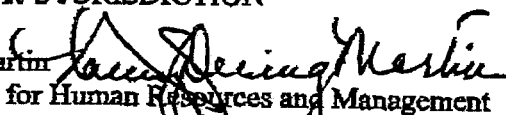
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Exh D

COMMONWEALTH OF PENNSYLVANIA
OFFICE OF ADMINISTRATION
January 25, 2002

SUBJECT: Imagine PA Implementation and Leave Planning

TO: HUMAN RESOURCE DIRECTORS OF ALL DEPARTMENTS,
INDEPENDENT ADMINISTRATIVE BOARDS AND
COMMISSIONS AND OTHER STATE AGENCIES UNDER
THE GOVERNOR'S JURISDICTION

FROM: Nancy Dering Martin 
Deputy Secretary for Human Resources and Management

The Commonwealth's massive initiative to implement Imagine PA is nearing its first GO-LIVE date of July 1, 2002. Successive GO-LIVE Waves will continue through January 2003, and beyond. During these implementation waves, adequate staff support is critical not only to the Imagine PA Project Team, but throughout all agencies. Many will be asked to help with testing, data cleansing, conversion, and migration to the new way of doing business in the areas of Accounting, Budget, Payroll, Personnel, and Procurement. Therefore, it is essential that you advise all managers and supervisors to be mindful of these necessary time commitments when vacations are planned and requests are submitted for consideration. GO-LIVE phases are the most critical times for a successful ERP implementation and without appropriate staff support, excellent planning and design could go unfulfilled.

Imagine PA will soon begin communicating specifics concerning the GO-LIVE dates, including expectations from agencies and the type of staff required and at what intervals. Until this information is known, it is essential that managers, supervisors, and other staff who will have important implementation roles be sensitive to possible unknown work obligations before finalizing any specific vacation plans or making financial commitments for them. Attempts will be made to limit this impact on those who are most needed to ensure a successful transition. As the GO-LIVE dates get closer, it may not be feasible to approve leave requests for employees who will play a key transition role.

Your agency's commitment toward making Pennsylvania a World Class Government through Imagine PA is sincerely appreciated.

cc: Secretary Bittenbender
Imagine PA Steering Committee Members
Deputy Secretaries for Administration

FROM : SHERI PHILLIPS/EMO

FAX NO. : 717-234-3727

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Exh E



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF GENERAL SERVICES
HARRISBURG

SHERI L. PHILLIPS
DEPUTY SECRETARY
FOR ADMINISTRATION

(717) 783-6720

March 15, 2002

Melinda Joyce
Hartman, Osborne & Joyce
126-128 Walnut Street
Harrisburg, PA 17102

Dear Melinda,

The Commonwealth of Pennsylvania (COPA) is installing a new computer system beginning July 1, 2002. The Deputy Secretary for Administration in each agency is responsible for the implementation of accounting, budgeting and procurement. In General Services, it is even more critical, as we do the procurement for the entire COPA. Since not all agencies go live on July 1, DGS will need to keep two computer systems active for 6 months. We are also responsible for the Travel Manager in DGS. Procurement goes live July 1, 2002, as does the pilot program for travel.

To complicate matters even more, DGS does all the construction of buildings for the COPA and the construction project administration is also going live as of July 1.

I am the overall person responsible to make this happen in DGS. Needless to say, July is not going to be easy and the succeeding months will be hectic until all agencies are on-line (January 1, 2003).

I hope this explains my situation a little more clearly. It is a massive undertaking, and I am committed to making it happen.

Thank you for your help.

Sincerely,

A handwritten signature in black ink, appearing to read "Sheri L. Phillips".

Sheri L. Phillips

ROOM 515 NORTH OFFICE BUILDING, HARRISBURG, PENNSYLVANIA 17125